

EXHIBIT “B”

Closing USA, LLC

TITLE NO. DS110079209

MORTGAGE FORECLOSURE CERTIFICATE

CERTIFIES TO: Shapiro, DiCaro & Barak, LLP

Client Ref. No: 11-007384

Premises: 68 Hammock Lane, Staten Island, NY 10312 County: RICHMOND

Block: 6017 Lot: 4013

That a search has been made against the premises described in Schedule "A" from the date of the mortgage to be foreclosed to the date hereof, and title to said premises is vested of record in

Salvatore Mattioli and Karheem M. Mattioli, husband and wife

By Deed from: Rosemarie Ciccone

Deed Dated: March 6, 2003

Recorded: April 29, 2003

Recorded in: Reel 15088 Page 216

This certificate includes appended schedules, as follows:

Schedule A	Description of Mortgaged Premises
Schedule B	Mortgages and Assignments of Record
Schedule C	Necessary Parties Defendant
Schedule D	Exceptions, Objections and Other Information
Schedule E	Tax Search

Certified as January 26, 2011

Issue Date: February 13, 2011, 8:00 am

Closing USA, LLC

SCHEDULE A

DESCRIPTION OF MORTGAGES PREMISES

Title No.: **DS110079209**

ALL that certain plot, piece or parcel of land, situate, lying and being a part of the Condominium in the Borough of Staten Island, County of Richmond, City and State of New York, known and designated as Home No. 18 together with a 2.8035% undivided interest in the common elements of the condominium hereafter described as the same is defined in the Declaration of Condominium hereinafter referred to.

The real property above described in a Home shown on the plans of a Condominium prepared and certified by DiFiore & Giacobbe, A.I.A. and filed in the Office of the Clerk of the County of Richmond on the 21st day of August, 1979, as Map No. C-14, defined in the Declaration of Condominium I made by Jasmon Estates Corp., under Article 9-B of the New York Real Property Law dated August 9, 1979 in Liber 2318 of Conveyances at Page 1, covering the property therein described, the land area of the property is described in Schedule "A".

PARCEL I

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough of Staten Island, County of Richmond, City and State of New York, bounded and described as follows:

BEGINNING at the point formed by the intersection of the westerly side of Hammock Lane with the northerly side of Stack Drive;

RUNNING THENCE along said westerly side of Hammock Lane North 21 degrees 15 minutes 26 seconds West, 331.09 feet to an angle point therein;

RUNNING THENCE continuing along said westerly side of Hammock Lane North 17 degrees 23 minutes 42 seconds West, 28.91 feet to a point;

RUNNING THENCE South 72 degrees 36 minutes 18 seconds West, 90.00 feet to a point;

RUNNING THENCE South 17 degrees 23 minutes 42 seconds East, 31.98 feet to a point;

RUNNING THENCE South 21 degrees 15 minutes 26 seconds East, 333.15 feet to a point on said northerly side of Stack Drive;

RUNNING THENCE along said northerly side of Stack Drive North 69 degrees 22

minutes 31 seconds East, 90.00 feet to the point or place of BEGINNING.

PREMISES also known as Unit 18 in Kingswalk Condo I.

Closing USA, LLC

SCHEDULE B

MORTGAGES AND ASSIGNMENTS OF RECORD

Title Number: DS110079209

PAGE 1 OF 5

MORTGAGE

Mortgagor: Jeanette Russo a/k/a Jeannette Russo

Mortgagee: Anchor Savings Bank FSB

Amount: \$25,000.00

Dated: November 10, 1988 **Recorded:** December 16, 1988

Reel: 1768 **Page:** 212

TitleNumber: DS110079209

PAGE2 OF 5

MORTGAGE

Mortgagor: Jeanette Russo a/k/a Jeannette Russo

Mortgagee: Anchor Savings Bank FSB

Amount: \$6,000.00

Dated: October 11, 1990 **Recorded:** October 23, 1990

Reel: 2730 **Page:** 56

CONSOLIDATION EXTENSION AND MODIFICATION AGREEMENT

Between: Jeanette Russo a/k/a Jeannette Russo

and: Anchor Savings Bank FSB

Date: October 11, 1990 **Recorded:** October 23, 1990

Reel: 2730 **Page:** 63

NOTE: Said CEMA Consolidated Mortgage in Reel 1768 Page 212 and Mortgage in Reel 2730 Page 56 to form a single lien in the amount of \$31,000.00.

NEEDS INVESTIGATION

PRIOR MORTGAGE

Title Number: DS110079209

PAGE 3 OF 5

MORTGAGE

Mortgagor: Rosemarie Ciccone

Mortgagee: Intercounty Mortgage, Inc.

Amount: \$113,400.00

Dated: August 17, 1995 **Recorded:** August 21, 1995

Reel: 6183 **Page:** 147

ASSIGNMENT

Assignor: Intercounty Mortgage, Inc.

Assignee: Resource Bancshares Mortgage Group, Inc.

Dated: August 17, 1995 **Recorded:** August 21, 1995

Reel: 6183 **Page:** 145

NOTE: Duplicate Assignment recorded March 6, 1998 in Reel 7983 Page 23.

ASSIGNMENT

Assignor: Resource Bancshares Mortgage Group, Inc.

Assignee: Nationsbanc Mortgage Corporation

Dated: February 16, 1996 **Recorded:** July 2, 1997

Reel: 7464 **Page:** 307

NEEDS INVESTIGATION

PRIOR MORTGAGE

Title Number: DS110079209

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MORTGAGE

Mortgagor: Salvatore Mattioli
Karheem M. Mattioli, Husband and Wife

Mortgagee: New York Community Bank

Amount: \$242,100.00

Dated: March 6, 2003 **Recorded:** May 30, 2003

Reel: 15088 **Page:** 64

ASSIGNMENT

Assignor: New York Community Bank

Assignee: Cendant Mortgage Corporation

Dated: May 29, 2004 **Recorded:** September 29, 2004

Reel: 19038 **Page:** 205

MORTGAGE TO BE FORECLOSED

PRIOR MORTGAGES: Two

SUBORDINATE MORTGAGES: One

Title Number: DS110079209

PAGE 5 OF 5

MORTGAGE

Mortgagor: Salvatore Mattioli
Karheem M. Mattioli, Jointly, Husband and Wife

Mortgagee: GMAC Mortgage Corporation DBA ditech.com

Amount: \$65,000.00

Dated: February 22, 2006 **Recorded:** May 8, 2006

Document No.: 125481

SUBORDINATE MORTGAGE

Closing USA, LLC

SCHEDULE C

NECESSARY PARTIES DEFENDANT

Title No.: **DS110079209**

This list of necessary parties defendant is made on the assumption that all parties are to be personally served in the proposed action. If any of the persons hereinafter named be dead, their legal representatives and successors in interest should be made parties defendant after whose rights are subordinate to the mortgage to be foreclosed such persons should also be made parties defendant after search has been amended. If any leases, mortgages or other liens recorded prior to the period covered by this search, but which, by reason of subordination clauses contained therein or otherwise, are in fact subordinate to the lien of the mortgage to be foreclosed, all persons interested in said leases, mortgages or other liens should also be made parties defendant after search has been amended.

If the United States of America, State of New York or City of New York or any of its agencies, are made parties, the complaint must set forth the reason therefor in detail. (See R.P.A. and P.L. Sec 202 and 202A and 28 U.S.C.A. 2410.)

The addresses of parties herein given, were obtained from the record and are not represented to be the present addresses of the parties.

Consideration should be given to the desirability of naming as defendants the obligor named in the bond or in any extension, assumption of guaranty agreement.

All occupants of the premises herein described should be made parties defendant.

The Company should be requested to continue searches to the date of filing lis pendens.

1. **Party Defendant:**

John Doe and Jane Doe

Interest in Premises:

Tenants or persons in possession

2. **Party Defendant:**

Salvatore Mattioli
68 Hammock Lane
Staten Island, NY 10312

Interest in Premises:

Owner of record and original Obligor under the Note/Bond secured by the Mortgage recorded in Reel 15088 of Mortgages, page 64, being foreclosed herein.

3. **Party Defendant:**

Karheem M. Mattioli
68 Hammock Lane
Staten Island, NY 10312

Interest in Premises:

Owner of record and original Obligor under the Note/Bond secured by the Mortgage recorded in Reel 15088 of Mortgages, page 64, being foreclosed herein.

4. **Party Defendant:**

GMAC Mortgage Corporation DBA ditech.com
3200 Park Center Drive, Suite 150
Costa Mesa, CA 92626

Interest in Premises:

Subordinate mortgagee by virtue of a Mortgage recorded on 5/8/2006 in Document No. 125481 of Mortgages.

5. **Party Defendant:**

Board of Managers
Kingswalk Condominium I
Staten Island, NY

Interest in Premises:

Possible holder of claim or lien as a result of unpaid common charges pursuant to the terms of Declaration of Covenants, Easements and Restrictions By-Laws recorded in Liber 2318 of Deeds, at page 1.

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SCHEDULE D

EXCEPTIONS, OBJECTIONS AND OTHER INFORMATION

Title No.: **DS110079209**

1. This report is issued for foreclosure purposes only. For fee insurance, if any additional searches must be conducted and any questions arising therefrom, disposed of.
2. Rights of tenants or persons in possession of the subject premises.
3. Any state of facts that an accurate survey may show.
4. Covenants, easements, reservations and restrictions of record, if any.
5. Open or unpaid taxes, assessments, water and/or sewer charges, if any.
6. Mortgages set forth in Schedule "B" herein (Four).
7. Company has performed a Surrogate Search in the County in which the property is located vs. the certified owners herein and finds the following: Nothing found.
8. For questions regarding this certificate, please contact: Nannette van Baarsen at (585) 454-1730 x288
9. Bankruptcy Search(s) were run vs. Salvatore Mattioli and Karheem Mattioli, there are no current cases open of record.
10. Searches for judgments, Parking Board Violations, Environmental Control Board liens, Transit Adjudication Bureau liens and Federal Tax liens have been made against the following named persons:

Names:	Salvatore Mattioli and Karheem Mattioli
Returns:	NONE
11. Declaration of Condominium with By-Laws annexed in Liber 2318 Page 1.
12. The terms of the Declaration of Condominium, relative to the transfer of title, or making of a mortgage, must be complied with.
13. Proof is required that all charges levied against the condominium unit for the maintenance of the common element, as provided in the Declaration of

Condominium, have been paid.

14. If the Condominium Declaration contains a provision requiring prior approval of the sale by the Board of Managers or a right of first refusal, proof must be submitted that these provisions must be complied with, or have been complied with.
15. Tax Search attached hereto.
16. The premises in Schedule A are listed as partially exempt from taxation at the present time, but is subject to the discontinuance of such exemption and the restoration of taxes from the date of transfer of title.
17. Names Searched: Salvatore Mattioli and Karheem Mattioli.

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Searches have not been made for, and this certificate does not cover, General Assignments, Orders Appointing Receivers and Petitions in Bankruptcy against Judgment Creditors and Minor Lienors, Searches for Financing Statements under the Uniform Commercial Code have been made only in the office of the Recording Officer of the County in which the premises are situated, and in counties having a block index system only against the block in which the property is situated.

No inspection of premises, report on streets or searches for violations in Municipal or other governmental departments have been made; nor have searches been made for corporation franchise taxes or license fees, Federal and State inheritance, transfer or estate taxes. Upon request, the company will obtain a report from the State Tax Commission on corporation franchise taxes, license fees or state transfer or estate taxes upon payment of \$1.00 for each name, but no responsibility for the correctness of such reports will be assumed by this company.

This certificate is made for and accepted by the applicant upon the express understanding that: (1) it is to be used only for the foreclosure of the within described mortgage or for the taking of a deed in lieu of foreclosure and for no other purpose; (2) no policy of title insurance is to be issued; (3) if a deed in lieu of foreclosure is taken, the company shall not be liable should the deed be attacked by the grantor, his successors or creditors for inadequacy of consideration or as to the capacity of the record owner to execute such a deed or for any other reason; (4) the company shall not be liable for defects in title, liens, restrictive covenants or any other encumbrance existing or created prior to the date of the aforesaid mortgage; (5) this certificate shall be null and void if the applicant, his attorney or agent makes any untrue statement with respect to any material fact or suppresses or fails to disclose any material fact or if any untrue answers are given to this company to material inquiries before the issuance of this certificate; (6) any damages hereunder are limited to \$1,000.00, which damages the party for whom this report has been prepared shall sustain by reason of the Company's failure to report a lien or matter junior to the mortgage to be foreclosed.

For Information Only – Recording Agent:

AIS/Data Trace Examination Services-Richmond County AIS c/o Bobby Coughlin
56 Sommer Avenue, Suite 2B
Staten Island NY 10314

LP's and/or Summons and Complaints that must be filed on the date of receipt are to be sent directly to the County Clerk's Office. **Notify this office of files being sent, so we know to alert our examiners that documents must be filed upon receipt.** (County Clerk's Office does not necessarily notify examiners that they have received a package.)